

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 1294) TO EXTEND
FEDERAL RECOGNITION TO THE CHICKAHOMINY INDIAN TRIBE, THE
CHICKAHOMINY INDIAN TRIBE—EASTERN DIVISION, THE UPPER
MATTAPONI TRIBE, THE RAPPAHANNOCK TRIBE, INC., THE MONACAN
INDIAN NATION, AND THE NANSEMOND INDIAN TRIBE

MAY 7, 2007.—Referred to the House Calendar and ordered to be printed

Mr. HASTINGS of Florida, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 377]

The Committee on Rules, having had under consideration House
Resolution 377, by a nonrecord vote report the same to the House
with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 1294, the
Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition
Act of 2007, under a closed rule providing one hour of general de-
bate in the House equally divided and controlled by the chairman
and ranking minority member of the Committee on Natural Re-
sources.

The rule waives all points of order against consideration of the
bill except for clauses 9 and 10 of rule XXI. The amendment in the
nature of a substitute recommended by the Committee on Natural
Resources now printed in the bill, modified by the amendments
printed in this report, shall be considered as adopted. The rule
waives all points of order against the bill as amended and provides
that the bill, as amended, shall be considered as read. The rule pro-
vides one motion to recommit with or without instructions. Finally,
the rule provides that the Chair may postpone further consider-
ation of the bill to a time designated by the Speaker.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of the bill
(except for clauses 9 and 10 of rule XXI) includes a waiver of
Clause 4, rule XIII requiring a three-day layover of the committee
report. The Committee is not aware of any points of order against
the committee substitute, as amended, therefore the waiver of all

points of order against the committee amendment in the nature of a substitute as amended is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 163

Date: May 7, 2007.

Measure: H.R. 1294.

Motion by: Mr. Sessions.

Summary of motion: To grant an open rule.

Results: Defeated 1–7.

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Cardoza—Nay; Welch—Nay; Castor—Nay; Arcuri—Nay; Sutton—Nay; Sessions—Yea.

Rules Committee record vote No. 164

Date: May 7, 2007.

Measure: H.R. 1294.

Motion by: Mr. Sessions.

Summary of motion: To grant a modified open rule.

Results: Defeated 1–7.

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Cardoza—Nay; Welch—Nay; Castor—Nay; Arcuri—Nay; Sutton—Nay; Sessions—Yea.

SUMMARY OF AMENDMENTS CONSIDERED AS ADOPTED

The amendments amend six sections of the bill applicable to the individual tribes to make the transfer of any land (within specified Virginia counties) into trust status subject to public process under the Department of the Interior regulations and a discretionary action by the Secretary of the Interior (who must make a final decision within three years). They also amend each of the six titles of the bill applicable to the individual tribes to specify that the civil and criminal laws of the State of Virginia shall apply to the tribal lands.

TEXT OF AMENDMENTS CONSIDERED AS ADOPTED

Amend section 106(a) to read as follows:

(a) IN GENERAL.—Fee lands which the Tribe seeks to convey to the United States to be held in trust shall be considered by the Secretary of the Interior under part 151 of title 25 of the Code of Federal Regulations (or a successor regulation) if such lands are located within the boundaries of New Kent County, James City County, Charles City County, or Henrico County, Virginia. The Secretary shall make a final determination within three years of the date which the tribe submits a request for land to be taken into trust. Any land taken into trust for the benefit of the Tribe pursuant to this paragraph shall be considered part of the reservation of the Tribe.

Amend section 206(a) to read as follows:

(a) IN GENERAL.—Fee lands which the Tribe seeks to convey to the United States to be held in trust shall be considered by the Secretary of the Interior under part 151 of title 25 of the Code of Federal Regulations (or a successor regulation) if such lands are located within the boundaries of New Kent County, James City County, Charles City County, or Henrico County, Virginia. The Secretary shall make a final determination within three years of the date which the tribe submits a request for land to be taken into trust. Any land taken into trust for the benefit of the Tribe pursuant to this paragraph shall be considered part of the reservation of the Tribe.

Amend section 306(a) to read as follows:

(a) IN GENERAL.—Fee lands which the Tribe seeks to convey to the United States to be held in trust shall be considered by the Secretary of the Interior under part 151 of title 25 of the Code of Federal Regulations (or a successor regulation) if such lands are located within the boundaries of King William County, Caroline County, Hanover County, King and Queen County, and New Kent County, Virginia. The Secretary shall make a final determination within three years of the date which the tribe submits a request for land to be taken into trust. Any land taken into trust for the benefit of the Tribe pursuant to this paragraph shall be considered part of the reservation of the Tribe.

Amend section 406(a) to read as follows:

(a) IN GENERAL.—Fee lands which the Tribe seeks to convey to the United States to be held in trust shall be considered by the Secretary of the Interior under part 151 of title 25 of the Code of Federal Regulations (or a successor regulation) if such lands are located within the boundaries of King and Queen County, Stafford County, Spotsylvania County, Richmond County, Essex County, and Caroline County, Virginia. The Secretary shall make a final determination within three years of the date which the tribe submits a request for land to be taken into trust. Any land taken into trust for the benefit of the Tribe pursuant to this paragraph shall be considered part of the reservation of the Tribe.

Amend section 506(a) to read as follows:

(a) IN GENERAL.—Fee lands which the Tribe seeks to convey to the United States to be held in trust shall be considered by the Secretary of the Interior under part 151 of title 25 of the Code of Federal Regulations (or a successor regulation) if such lands are located within the boundaries of Amherst County, Virginia. The Secretary shall make a final determination within three years of the date which the tribe submits a request for land to be taken into trust. Any land taken into trust for the benefit of the Tribe pursuant to this paragraph shall be considered part of the reservation of the Tribe.

Amend section 606(a) to read as follows:

(a) IN GENERAL.—Fee lands which the Tribe seeks to convey to the United States to be held in trust shall be considered by the Secretary of the Interior under part 151 of title 25 of the Code of Federal Regulations (or a successor regulation) if such lands are located within the boundaries of the city of Suffolk, the city of Chesapeake, or Isle of Wight County, Virginia. The Secretary shall make a final determination within three years of the date which the tribe submits a request for land to be taken into trust. Any land taken

into trust for the benefit of the Tribe pursuant to this paragraph shall be considered part of the reservation of the Tribe.

At the end of each of titles I, II, III, IV, V, and VI add the following:

SEC. 08. JURISDICTION OF STATE OF VIRGINIA.

(a) IN GENERAL.—The State of Virginia shall exercise jurisdiction over—

(1) all criminal offenses that are committed on; and

(2) all civil actions that arise on,

lands located within the State of Virginia that are owned by, or held in trust by the United States for, the Tribe.

(b) ACCEPTANCE OF STATE JURISDICTION BY SECRETARY.—The Secretary of the Interior is authorized to accept on behalf of the United States, after consulting with the Attorney General of the United States, all or any portion of the jurisdiction of the State of Virginia described in subsection (a) upon verification by the Secretary of a certification by a tribe that it possesses the capacity to reassume such jurisdiction.